

JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MARK SELINGER,

Plaintiff,

vs.

FORD MOTOR COMPANY,

Defendant(s).

Case No.: 2:22-CV-08883 SPG (KSx)

Action Filed: July 29, 2022

Removed: December 7, 2022

Trial Date: *Pending*

Judge: Hon. Sherilyn Peace  
Garnett

Ctrm: 5C

**JUDGMENT**

On May 17, 2023, Defendant FORD MOTOR COMPANY served its Offer of Judgment pursuant to Federal Rule of Civil Procedure, Rule 68 ("Offer") on Plaintiff MARK SELINGER. The pertinent terms of the Offer are as follows:

1. Defendant FORD MOTOR COMPANY ("FORD") will pay Plaintiff MARK SELINGER ("SELINGER") \$34,026.80 (thirty-four thousand, twenty-six dollars and eighty cents). From this payment, FORD will pay the remaining loan balance on the subject 2019 Ford Fusion, VIN: 3FA6P0HD3KR148844 ("SUBJECT VEHICLE") directly to the lienholder. To the extent there is any overpayment to the lienholder as a result of the additional payments made by SELINGER, FORD agrees such overpayment belongs to SELINGER.

1 FORD agrees to overnight this payment within two (2) business days of the  
2 surrender described in para. 2.

3 2. SELINGER will surrender the SUBJECT VEHICLE to FORD (or its  
4 designated representative) on a mutually agreed upon date, time, and  
5 location.

6 3. Additionally, FORD also agrees to pay SELINGER's attorney fees, costs and  
7 expenses, in accordance with a noticed motion pursuant to California Civil  
8 Code §1794(d). In ruling on Plaintiff MARK SELINGER's fee/cost  
9 motion(s), the attorney fees, expenses and costs amount shall be calculated  
10 as if Plaintiff MARK SELINGER was found to have prevailed in this action  
11 under section 1794(d) of the California Civil Code as of the date of this offer  
12 of judgment. Ford expressly reserves all defenses to Plaintiff MARK  
13 SELINGER's fee/costs motion(s). Ford will pay the attorney fees and costs  
14 amounts determined by the Court within 30 days' written notice of entry of  
15 the Court's ruling awarding those amounts unless either party has filed a  
16 notice of appeal.

17 Plaintiff MARK SELINGER accepted such offer by signing the acceptance line  
18 on May 24, 2023. Counsel for Plaintiff thereafter electronically served a signed and  
19 accepted copy of the Offer on May 25, 2023, and served and filed Notice of Acceptance  
20 of Fed. R. Civ. Proc. Rule 68 Offer of Judgment on May 26, 2023.

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1        WHEREFORE, by virtue of the law and by reason of the premises aforesaid, IT  
2 IS HEREBY ORDERED, ADJUDGED AND DECREED that Judgment is granted and  
3 shall be entered in favor of Plaintiff MARK SELINGER, and against Defendant FORD  
4 MOTOR COMPANY, in the amount of \$34,026.80, along with Plaintiff's costs,  
5 including attorney fees and expenses, incurred in this action in the amount of  
6 \$10,500.00.

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8 DATED: May 30, 2023

  
HON. SHERILYN PEACE GARNETT  
UNITED STATES DISTRICT JUDGE